

Instruction for use of “Initial Notification” Form

(Applicable to **existing** paint stripping operations)

General

This form may be used by facilities that operate **existing** paint stripping operations that use chemical strippers containing methylene chloride (affected paint stripping operations) to comply with the initial notification requirements in 13.5.1 of Regulation 1138. The use of this form is optional. However, other means of notification must contain the information required under 13.5.1.1 through 13.5.1.9 of Regulation 1138.

“Existing source” means a paint stripping operation that was actively engaged in paint stripping operations using chemical strippers containing methylene chloride (MeCl) prior to September 17, 2007.

Required Submittal Date

The owner or operator shall submit an “Initial Notification” to the Department (with copy to the U.S Environmental Protection Agency) no later than **September 11, 2010**.

The addresses for these submittals are provided below and in Item 10 of the “Initial Notification” form.

Note: The **September 11, 2010** submittal date is based on the expected effective date of this planned Delaware regulation, Section 13. To be in compliance with the national area source air toxics standard (40 CFR Part 63 Subpart HHHHHH), an “Initial Notification” must be submitted to EPA no later than January 11, 2010.

Items 1 and 2

Provide the name of the affected paint stripping operation, its physical location, and the address where compliance records are kept, if different than the physical location of the facility.

Items 3

Identify the owner or operator of the affected paint stripping operation, identified in Items 1 and 2, and provide the owner or operator’s mailing address.

Item 4

The owner or operator of the affected paint stripping operation indicates (checks appropriate box) whether the facility is subject to the provisions of Section 13 of Regulation 1138. The facility is subject to Section 13, if both of the following statements are applicable.

1. The facility is an area source.

“Area source” means any stationary source or group of stationary sources located within a contiguous area and under common control that does not emit nor have the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant (HAP) or 25 tons per year or more of any combination of hazardous air pollutants (HAPs).

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2. The facility performs paint stripping using chemical strippers that contain methylene chloride (MeCl) for the removal of dried paint (including but not limited to, paint, enamel, varnish, shellac, and lacquer) from wood, metal, plastic, and other substrates.

Item 5

The owner or operator of the affected paint stripping operation indicates (checks appropriate box) whether the facility expects to use more than one (1) ton of methylene chloride (100% basis) annually after the existing source compliance date (January 10, 2011).

For example, if a facility expects to use **no more than** 5000 pound per year of a chemical stripper that contains 40% MeCl, the facility would check “No”.

$$5000 \text{ lbs/yr times } 0.4 \text{ MeCl} = 2000 \text{ lbs MeCl or } 1 \text{ ton/yr.}$$

Alternatively, the owner or operator would check “Yes”, if the facility expects to use more than 5000 pound per year of a chemical stripper that contains 40% MeCl.

Item 6

The owner or operator of the affected paint stripping operation identifies (checks appropriate box) whether the paint stripping operations at the facility is a new affected source or an existing affected source.

- An affected source is **new**, if the facility was not actively engaged in paint stripping operations using chemical strippers containing methylene chloride prior to September 17, 2007.
- An affected source is **existing**, if the facility was actively engaged in paint stripping operations using chemical strippers containing methylene chloride prior to September 17, 2007.

Item 7

The owner or operator of the affected paint stripping operation provides a brief description of the paint stripping operation. Indicate the method or methods of paint stripping used (e.g. chemical, mechanical or both) and the types of substrates stripped (e.g. wood, plastic, metal, etc.). The owner or operator should continue on blank sheet of paper and attach it to this notification, if additional space is needed.

Notification of Compliance Status Option

If the existing affected paint stripping operation is already in compliance with all applicable requirements of Section 13, requirement 13.5.1.9 of Regulation 1138 provides the owner or operator of the facility the opportunity to certify its initial compliance with Section 13 as part of the submittal of the “Initial Notification” form. If the owner or operator elects to follow this option, the owner or operator is not required to submit the “Notification of Compliance Status” form in accordance with the requirements of 13.5.2.

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If the existing affected paint stripping operation is not in compliance with all applicable requirements of Section 13 at the time the “Initial Notification” must be submitted (no later than **September 11, 2010**), owner or operator of the facility does not have opportunity to certify its initial compliance with Section 13 as part of the submittal of the “Initial Notification” form.

Item 8

The owner or operator of the affected paint stripping operation can certify (checks appropriate box) that the paint stripping operation at the facility is already in compliance with all the applicable requirements of Section 13 and that the “Initial Notification” also serves as a notification of compliance status. To do this, the owner or operator must also complete Item 9.

If necessary or desired, the owner or operator of the affected paint stripping operation would indicate (checks appropriate box) that the paint stripping operation at the facility is not in compliance with all the applicable requirements of Section 13, but is expected to be in compliance by the compliance date (January 10, 2011). In this situation, the owner or operator does not complete Item 9; instead, the owner or operator must submit the “Notification of Compliance Status” no later than March 11, 2011 in accordance with the requirements of 13.5.2.

Item 9a

Requirement 13.4 of Regulation 1138 provides the requirements that the owner or operator of an affected paint stripping operation must be in compliance with to satisfactorily demonstrate initial compliance with Section 13 of Regulation 1138.

For this form, the owner or operator would certify initial compliance with Section 13 of Regulation 1138 by checking the appropriate boxes listed under Item 9a.

Item 9b

The owner or operator of the affected paint stripping operation certifies that the “Initial Notification” is true, accurate, and complete as demonstrated by the completion of Item 9c.

Item 9c

The owner or operator of the affected paint stripping operation provides the information needed and signs the form to certify the truth, accuracy, and completeness of the notification.

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Item 10

The owner or operator must submit the completed “Initial Notification” to the Department of Natural Resources and Environmental Control (with a copy to the U.S. Environmental Protection Agency) at the addresses provided below and in Item 10 of the form. The owner or operator should keep a copy of the completed form.

Submit the Initial Notification to the following addresses

Delaware Department of Natural Resources and
Environmental Control
Administrator, Air Quality Management
156 S. State Street
Dover, DE 19901

U. S. Environmental Protection Agency
Director, Air Protection Division
1650 Arch Street
Philadelphia, PA 19103

Draft

Initial Notification

Regulation 1138 – Section 13

Emission Standards for Area Source Paint Stripping Operations

For
Existing
Sources

Submittal Date: The “Initial Notification” must be submitted no later than **September 11, 2010**.

[1] **Name of the facility:** _____

[2] **Physical location – Street Address:** _____

City, State, Zip Code : _____

Address where compliance records are kept, if different than the physical location

Street Address: _____

City, State, Zip Code: _____

[3] **Name of Owner or Operator:** _____

Mailing Address: _____

City, State, Zip Code: _____

[4] **Is the facility subject to Section 13 of Regulation 1138?**

Check appropriate box

Yes ☐ No ☐

[5] **Does the facility plan to use more than one ton of methylene chloride (MeCl) annually after January 10, 2011?**

Check appropriate box

Yes ☐ No ☐

[6] **Is the paint stripping operation a new affected source or an existing affected source?**

Check applicable box

☐ New affected source
☐ Existing affected source

[7] **Provide a brief description of the paint stripping operation. Indicate the method or methods of paint stripping used (e.g. chemical, mechanical or both) and the types of substrates stripped (e.g. wood, plastic, metal, etc.).**

<h2 style="margin: 0;"><u>Initial Notification</u></h2> <h3 style="margin: 5px 0 0 0;">Regulation 1138 – Section 13</h3> <h4 style="margin: 0;">Emission Standards for Area Source Paint Stripping Operations</h4>	For Existing Sources
Name of the facility:	
Compliance Status Instructions: If owner or operator indicated that the paint stripping operation was an existing affected source in Item 6 on page 1, the owner or operator has two options for reporting the compliance status of the affected paint stripping operation.	
<ol style="list-style-type: none"> 1. If the affected paint stripping operation is already in compliance with all applicable requirements of Section 13, the owner or operator may check the “Yes” box in Item 8 below and complete the compliance certification in Item 9 below. If the owner or operator elects to follow this option, the owner or operation does not have to submit the “Notification of Compliance Status” required under 13.5.2 of Section 13. 2. The owner or operator may check the “No” box in Item 8 below, leaving Item 9 blank. If the owner or operator elects to follow this option, the owner or operation must submit the “Notification of Compliance Status” required under 13.5.2 of Section 13 no later than March 11, 2011. 	
[8] Are the paint stripping operations at the facility already in compliance with all applicable requirements of Section 13? <u>Check applicable box</u> <div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;"> <input type="checkbox"/> <input type="checkbox"/> </div> <div> Yes and this form also serves as the notification of compliance status No, but the paint stripping operations will be brought into compliance by January 10, 2011 </div> </div>	
[9] Certification of Initial Compliance a The owner or operator of the affected paint stripping operations shall certify initial compliance with Section 13 of Regulation 1138 by checking (✓) the following compliance statements, where appropriate.	
<u>Certify initial compliance for existing affected paint stripping operations, by checking appropriate boxes</u>	
<input type="checkbox"/>	The owner or operator certifies that the affected paint stripping operations are in compliance with all applicable requirements of Section 13 of Regulation 1138.
<input type="checkbox"/>	If the facility expects to use over one ton of MeCl annually, the owner or operator certifies that a written methylene chloride minimization plan has been developed and is being implemented in accordance with the requirements of 13.4.2.
b I certify that all the information contained in this notification is true, accurate, and complete.	
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> c Signature: _____ Title/Position: _____ Email Address: _____ Printed Name: _____ </div> <div style="width: 35%;"> Date : _____ Telephone No: _____ </div> </div>	
[10] The owner or operator must submit this “Initial Notification” to the following agencies by the submittal date provide on page 1 of this form. <u>Remember</u> to keep a copy of this notification.	
<div style="border: 1px solid black; padding: 5px;"> Delaware Department of Natural Resources and Environmental Control Administrator, Air Quality Management 156 S. State Street Dover, DE 19901 </div>	<div style="border: 1px solid black; padding: 5px;"> U. S. Environmental Protection Agency Director, Air Protection Division 1650 Arch Street Philadelphia, PA 19103 </div>